

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

RUPERT A. BENTLEY JR.,

Plaintiff,

vs.

CAROLYN W. COLVIN, Commissioner
of Social Security Administration

Defendant.

CV 16-90-M-DLC-JCL

ORDER

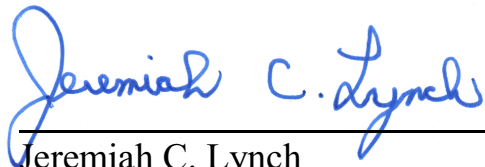
Based on the stipulation of the parties, IT IS ORDERED that the Commissioner's decision in regard to Plaintiff's application for disability insurance benefits under Title II of the Social Security Act be REVERSED and REMANDED to the Commissioner of Social Security for further administrative proceedings. On remand, the Administrative Law Judge will (1) consider, evaluate, and assign appropriate weight to the medical opinions of record, including but not limited to the opinions of Drs. Vanichkachorn and Butcher; (2) consider, evaluate, and assign appropriate weight to Ms. Norton's "other medical source" opinion; (3) reevaluate the lay witness testimony from Mr. Cattlerin, and Ms. Bentley; and (4) assess Plaintiff's symptom testimony under SSR 16-3p. If

applicable, the ALJ should weigh any additional limitations the claimant alleged in the May 2015 hearing and supplement the record to include the transcript from the May 2015 hearing, if possible.

IT IS FURTHER ORDERED that the Clerk will enter judgment pursuant to this order.

The ALJ and Plaintiff should be permitted to raise and pursue additional issues, augmenting the record as necessary to fully and fairly address such issues. This remand should be made pursuant to sentence four of 42 U.S.C. § 405(g), and Plaintiff should be entitled to reasonable attorney fees and costs, pursuant to 28 U.S.C. § 2412(d), upon proper request to this Court.

DATED this 17th day of March, 2017.



Jeremiah C. Lynch
United States Magistrate Judge